IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Civil Application No.1173 of 2007
In
First Appeal No.1075 of 2007

M/s.The New India Insurance Co.Ltd. ... Applicant / Appellant

v/s.

Sou.Kausalyabhai B. Kakani & ors. ... Respondents

Mr.Yadu Bhargawan i/by M/s.K. Bhargavan & Associates for Applicant/Appellant.

Mr.T.M. Sonawane with Mr.M.M. Sathaye for Respondents.

CORAM : J.N. PATEL &
SMT.ROSHAN DALVI, JJ.

DATED : 11th April, 2007

P.C. :

1. Learned Counsel for the Applicant/Appellant submits that the amount of compensation i.e. Rs.11,00,100/- and Rs.3,08,000/- awarded by the Trial Court has been deposited in the Trial Court. The Trial Court shall not permit the Respondents to withdraw the said amount until further orders of this Court.

2. In the meantime, the Trial Court is directed to invest the aforesaid amount in Fixed Deposit in any of the Nationalized Banks, initially for a term of three years, to be renewed from time to time subject to further orders of this Court.

3. On the aforesaid terms and conditions, there will be stay to the execution of the impugned decree.

4. Liberty to the Respondents to apply to this Court for withdrawing the aforesaid amount. Further, in case the parties arrive at an amicable settlement, they can move the Court for disposing of the Appeal.

5. Civil Application stands disposed of accordingly.

(J.N. PATEL, J.)

(SMT. ROSHAN DALVI, J.)